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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 19th December, 1985:—

BILL No. 211 OF 1985

A Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985.

Short
title.

30 of 1954. 2. In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), for the words "seven hundred and fifty rupees", the words "one thousand rupees" shall be substituted.

Amend-
ment of
section 3.

3. In section 5 of the principal Act,—

(a) in sub-section (1),—

Amend-
ment of
section 5.

(i) in clause (b), for the words "if the journey", the words "if the journey, being a journey during a sitting of the Committee," shall be substituted;

(ii) for the second proviso and the *Explanation*, the following proviso shall be substituted, namely:—

"Provided further that nothing in the first proviso shall apply, if the member performs the journey by air for visiting any place in India not more than once during a sitting of the Committee.";

(b) for sub-section (2), the following sub-section and *Explanations* shall be substituted, namely:—

“(2) Every member shall be entitled to an amount equal to the fair by air for each single journey by air (other than a journey referred to in section 4 of the second proviso to sub-section (1) of this section or section 6C) performed by him from any place in India to any other place in India during his term of office as such member:

Provided that no member shall be entitled to any payment under this sub-section in respect of any journeys in excess of sixteen performed by him during any year.

Explanation 1—The provisions of clause (c) of sub-section (1) and of sub-section (2) of section 4 shall, so far as may be, apply to travelling allowances payable under this section as they apply to travelling allowances payable under that section.

Explanation II—For the purposes of this section, “year” means,—

(i) in the case of a person who is a member at the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985, the year beginning with such commencement and each of the subsequent years;

(ii) in the case of a person who becomes a member after such commencement, the year beginning with the date on which his term of office as such member commences and each of the subsequent years.

Amend-
ment of
section 6D.

4. In section 6D of the principal Act, for the words, brackets and figures “sub-section (1) of section 5”, the words, brackets and figures “sub-section (1) or sub-section (2) of section 5” shall be substituted.

Substi-
tution of
new sec-
tion for
section 8.

5. For section 8 of the principal Act, the following section shall be substituted, namely:—

Consti-
tuency
allowance
and
amenities.

“8. A member shall be entitled to such constituency allowance and to such medical facilities for himself and for members of his family and to such housing, telephone, water, electricity facilities or such amount in cash in lieu of all or any of such facilities, as may be prescribed by rules under section 9.”.

Amend-
ment of
sec-
tion 8A.

6. In section 8A of the principal Act, in sub-section (1),—

(a) for the words “three hundred rupees”, at both the places where they occur, the words “five hundred rupees” shall be substituted;

(b) in the second proviso, the words “so, however, that in no case the pension payable to such person shall exceed five hundred rupees per mensem” shall be committed,

(c) after the second proviso, the following proviso shall be added, namely:—

“Provided also that every person, who has served for any period as a member of the Provisional Parliament and who is not entitled to any pension under the foregoing provisions of this sub-section, shall, with effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985, be entitled to a pension of five hundred rupees per mensem.”

(d) the *Explanation* shall be renumbered as *Explanation 1* and in the *Explanation* as so renumbered, for the words, brackets and figures “clauses (iv and (v) sub-section (1)”, the words “this sub-section” shall be substituted;

(e) after *Explanation 1* as so renumbered, the following *Explanation* shall be inserted, namely:—

“*Explanation 2.*—Where in any General Election held for the purpose of constituting a new House of the People, poll could not be taken in any Parliamentary constituency or any part thereof on the date originally fixed under clause (d) of section 30 of the Representation of the People Act, 1951 on account of snow-falls or other weather conditions of an extreme nature in such constituency or part thereof or on account of such constituency or part thereof being inaccessible for any reason, the member elected to such House from such constituency shall be deemed, for the purposes of this sub-section, to have served as a member of such House from the date of publication, under section 73 of the said Act, of the notification relating to such House.”

43 of 1951.

7. After section 8A. the following section shall be inserted, namely:—

Insertion of new section 8B.

“8B. There may be paid to a member by way of a repayable advance such sum of money not exceeding twenty thousand rupees as may be determined by rules made in this behalf under section 9 for the purchase of a conveyance.”

Advances for purchase of conveyance.

8. In section 9 of the principal Act, in sub-section (3), for clause (f), the following clauses shall be substituted, namely:—

Amendment of section 9.

“(f) the constituency allowance and medical and other facilities mentioned in section 8 and the amount to be paid in cash in lieu of such facilities;

(ff) the amount which may be paid by way of repayable advance for the purchase of conveyance; the rate of interest thereof and the mode of recovery of such amount and interest thereon; and”.

STATEMENT OF OBJECTS AND REASONS

Keeping in view the recommendations of the Joint Committee on Salaries and Allowances of Members of Parliament and the demand made by the members, it is proposed to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954, with a view to provide for the following:—

- (i) increase in salary from Rs. 750 to Rs. 1,000 per month,
- (ii) facility of 16 single air journeys throughout the year to members without any limitation as to its use only during the session;
- (iii) (a) increase in minimum pension of ex-members of Parliament from Rs. 300 to Rs. 500 per month and the abolition of the ceiling with respect to pension;
- (b) in cases where the elections are not held due to weather conditions, etc., such as Ladakh in Jammu and Kashmir and Mandi in Himachal Pradesh, such period should be counted towards their eligibility period for grant of pension;
- (c) grant of pension to the members of the Constituent Assembly who are not at present entitled to the same;
- (iv) advance for purchase of conveyance.

2. The Bill seeks to achieve the above objects.

NEW DELHI;

H. K. L. BHAGAT.

The 19th December, 1985.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954, to increase the salary of the members of Parliament from Rs. 750 per mensem to Rs. 1,000 per mensem.

2. Clause 3 of the Bill seeks to amend section 5 of the Act to provide for the facility of sixteen single air journeys throughout the year to members of Parliament without any limitation as to its use only during the sessions instead of the existing eight to and fro intermediate air journeys during the sessions.

3. Clause 5 of the Bill seeks to substitute a new section for the existing section 8 to provide for payment of constituency allowance to a member and medical facilities to such member and the members of his family.

4. Clause 6 of the Bill seeks to amend section 8A of the Act for providing for the following:—

(i) increase in the minimum pension of ex-members of Parliament from Rs. 300 to Rs. 500 without any ceiling on maximum pension;

(ii) grant of pension to persons who have been members of Provisional Parliament/Constituent Assembly.

5. The above provisions would involve expenditure from the Consolidated Fund of India to the tune of Rs. 2.32 crores.

6. The provisions of the Bill will not involve any other expenditure either recurring or non-recurring.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill which seeks to amend sub-section (3) of section 9 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 empowers the Joint Committee of both the Houses of Parliament to make rules to provide for certain additional matters. These matters relate to the constituency allowance and the medical and other facilities which a member shall be entitled to under section 8 of the Act and the amount to be paid in cash in lieu of such facilities and the amount which may be paid to a member by way of repayable advance for the purchase of conveyance, the rate of interest thereon and the mode of recovery of such amount and the interest thereon. The matters with respect to which rules may be made under the proposed amendments relate to matters of detail or procedure. The delegation of legislative power is thus normal in character.

BILL NO. 212 OF 1985

A Bill further to amend the Salaries and Allowances of Officers of Parliament Act, 1953

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salaries and Allowances of Officers of Parliament (Amendment) Act, 1985.

Short
title
and
com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

20 of 1953.

2. For section 3 of the Salaries and Allowances of Officers of Parliament Act, 1953 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Substi-
tution of
new sec-
tion for
section 3.

“3. (1) There shall be paid to the Chairman of the Council of States a salary of seven thousand five hundred rupees per mensem.

Salaries,
etc., of
officers of
Parlia-
ment.

(2) Each officer of Parliament, other than the Chairman of the Council of States, shall be entitled to receive a salary for mensem and an allowance for each day during the whole of his term as such officer at the same rates as are specified in section 3 of the Salaries, Allowances and Pension of Members of Parliament Act, 1954 with respect to members of Parliament.

30 of 1954.

(3) Each officer of Parliament, other than the Chairman of the Council of States, shall be entitled to receive a constituency allowance at the same rate as is specified under section 8 of the said Act with respect to members of Parliament."

Substitution of new section for section 5.

3. For section 5 of the principal Act, the following section shall be substituted, namely:—

Sumptuary allowance.

"5. There shall be paid to the Chairman of the Council of States and the Speaker of the House of the People a sumptuary allowance of one thousand rupees per mensem and to the Deputy Chairman and the Deputy Speaker a sumptuary allowance of five hundred rupees per mensem."

Amendment of section 6.

4. In section 6 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

'(1A) An officer of Parliament and any one member of his family accompanying him shall be entitled to travelling allowances in respect of not more than six return journeys performed, during each year, within India, at the same rates at which travelling allowances are payable to such officer under clause (b) of sub-section (1) in respect of tours referred to in that clause.

Explanation.—For the purposes of this sub-section, "return journey" means a journey from one place to another place and the return journey from such other place to the first mentioned place.'

Insertion of new section 10A.

5. In the principal Act, after section 10, the following section shall be inserted, namely:—

Exemption from liability to pay income-tax on certain perquisites received by an officer of Parliament.

'10A. Notwithstanding anything contained in the Income-tax Act, 1961, the value of rent free furnished residence (including maintenance thereof) provided to an officer of Parliament under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the head "Salaries" under section 15 of the Income-tax Act, 1961.'

43 of 1961.

STATEMENT OF OBJECTS AND REASONS

This Bill is complementary to the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1985 and the Salaries and Allowances of Ministers (Amendment) Bill, 1985.

2. The Bill seeks,—

(a) to provide that the Chairman of the Council of States shall be entitled to a salary of seven thousand five hundred rupees per mensem and that the other officers of Parliament shall be entitled to a salary, daily allowance and constituency allowance at the same rates as a member of Parliament;

(b) to increase the amounts payable to officers of Parliament by way of sumptuary allowance and to exempt from income-tax the value of the official residence provided to an officer of Parliament;

(c) to extend the facility of free travel in respect of six return journeys per year within India to one member of the family of an officer of Parliament accompanying him on such journeys.

3. The Bill seeks to achieve the above objects.

NEW DELHI;

H. K. L. BHAGAT.

The 19th December, 1985.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend section 3 of the Salaries and Allowances of Officers of Parliament Act, 1953 to increase the salary of the Chairman of the Council of States from Rs. 2,250/- per mensem to Rs. 7,500/- per mensem. It further seeks to provide for grant of daily allowances throughout the term and the constituency allowances at the rate of Rs. 1,250/- per mensem to each of the officers of Parliament except the Chairman, of the Council of States.

2. Clause 3 of the Bill seeks to amend section 5 of the Act to provide for the increase in the sumptuary allowance from Rs. 500 to Rs. 1,000 in respect of the Chairman of the Council of States and the Speaker and from Rs. 250 to Rs. 500 per month for the Deputy Chairman and the Deputy Speaker.

3. Clause 4 of the Bill seeks to insert a new section for providing for the facility of six return journeys in a year between any two places in India accompanied by any one member of the family.

4. The above provisions would involve expenditure from the Consolidated Fund of India to the tune of Rs. 2.34 lakhs.

5. The provisions of the Bill will not involve any other expenditure either recurring or non-recurring.

BILL NO. 213 OF 1985

A Bill further to amend the Salaries and Allowances of Ministers Act, 1952.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1985.

Short title
and com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

58 of 1952. 2. For section 3 of the Salaries and Allowances of Ministers Act, 1952 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Substitu-
tion of
new sec-
tion for
section 3.

30 of 1954. "3. (1) Each Minister shall be entitled to receive a salary per mensem, and an allowance for each day during the whole of his term as such Minister at the same rates as are specified in section 3 of the Salaries, Allowances and Pension of Members of Parliament Act, 1954 with respect to members of Parliament.

Salaries,
and daily
and cons-
tituency
allowan-
ces.

(2) Each Minister shall be entitled to receive a constituency allowance at the same rate as is specified under section 8 of the said Act with respect to members of Parliament."

Substitution of new section for section 5.

3. For section 5 of the principal Act, the following section shall be substituted, namely:—

Sumptuary allowance to Ministers.

“5. There shall be paid a sumptuary allowance to each Minister at the following rates, namely:—

(a) the Prime Minister	Rupees one thousand five hundred per mensem;
(b) every other Minister who is a member of the Cabinet	Rupees one thousand per mensem;
(c) a Minister of State	Rupees five hundred per mensem;
(d) a Deputy Minister	Rupees three hundred per mensem.”.

Amendment of section 6.

4. In section 6 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) A Minister and any one member of his family accompanying him shall be entitled to travelling allowances in respect of not more than six return journeys performed, during each year, within India, at the same rates at which travelling allowances are payable to such Minister under clause (b) of sub-section (1) in respect of tours referred to in that clause.

Explanation.—For the purposes of this sub-section, “return journey” means a journey from one place to another place and the return journey from such other place to the first mentioned place.’

Insertion of new section 10A.

5. In the principal Act, after section 10, the following section shall be inserted, namely:—

Exemption from liability to pay income-tax on certain perquisites received by a Minister.

‘10A. Notwithstanding anything contained in the Income-tax Act, 1961, the value of rent free furnished residence (including maintenance thereof) provided to a Minister under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the head “Salaries” under section 15 of the Income-tax Act, 1961.’

43 of 1961

STATEMENT OF OBJECTS AND REASONS

Ministers are basically members of Parliament with the additional responsibility of being on duty as Ministers throughout the year. Keeping this in view, the Bill seeks to make suitable changes in the Salary and Allowances of the Ministers Act.

2. The Bill seeks—

(a) to provide that Ministers shall be entitled to a salary, daily allowances and constituency allowance at the same rates as a member of Parliament;

(b) to increase the amount payable to Ministers by way of sumptuary allowance and exempt from income-tax the value of the official residence provided to a Minister; and

(c) to extend the facility of free travel in respect of six return journeys per year within India to one member of the family of a Minister accompanying him on such journeys.

3. The Bill seeks to achieve the above objects.

NEW DELHI;

S. B. CHAVAN.

The 19th December, 1985.

FINANCIAL MEMORANDUM

Clauses 2, 3 and 4 of the Bill provide for increasing the salary and allowances of the Prime Minister, Cabinet Ministers, Ministers of State and Deputy Ministers.

2. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve an additional recurring expenditure of about Rs. 27.71 lakhs per annum only. No non-recurring expenditure is likely to be involved.

BILL NO. 214 OF 1985

A Bill further to amend the President's Pension Act, 1951.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the President's Pension (Amendment) Act, 1985.

Short title
and com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

30 of 1951.

2. In the long title to the President's Pension Act, 1951 (hereinafter referred to as the principal Act), for the words "for the payment of", the words "for the emoluments of the President and for" shall be substituted.

Amend-
ment of
long title.

3. In section 1 of the principal Act, for the word "Pension", the words "Emoluments and Pension" shall be substituted.

Amend-
ment of
section 1.

4. In the principal Act, after section 1, the following section shall be inserted, namely:—

Insertion
of new
section 1A.

"1A. There shall be paid to the President by way of emoluments fifteen thousand rupees per mensem".

Emolu-
ments of
the
President.

5. In section 2 of the principal Act, in sub-section (1), for the words "fifteen thousand rupees", the words "thirty thousand rupees" shall be substituted.

Amend-
ment of
section 2.

STATEMENT OF OBJECTS AND REASONS

Clause (3) of article 59 of the Constitution provides, *inter alia*, that the President shall be entitled to such emoluments and privileges as may be determined by Parliament by law and, until provision in that behalf is so made, to such emoluments, allowances and privileges as are specified in the Second Schedule to the constitution.

So far, no law providing for emoluments of the President has been enacted by Parliament and as a result, the President is, at present, entitled to the emoluments provided in the Second Schedule to the Constitution. The pension payable to a retiring President was provided for in 1951 by the President's Pension Act, 1951 and no change has so far been made in the amount as provided by the said Act.

This Bill seeks to amend the President's Pension Act to increase the emoluments payable to the President and the pension payable to a retiring President. According to the amendments proposed in the Bill, the President will be entitled to emoluments at the rate of Rs. 15,000 per mensem and a retiring President would be entitled to pension at the rate of Rs. 30,000 per annum.

The Bill seeks to achieve the above objects.

NEW DELHI;

S. B. CHAVAN.

The 19th December, 1985.

FINANCIAL MEMORANDUM

Clauses 4 and 5 of the Bill provide for increasing the emoluments and pension of the President.

2. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve an additional recurring expenditure of about Rs. 90,000/- per annum only. No non-recurring expenditure is likely to be involved.

BILL NO. 215 OF 1985

A Bill to amend the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Act, 1985.

Short
title and
com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. For section 3 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Substitu-
tion of
new sec-
tion for
section 3.

3. (1) Each Leader of the Opposition shall, so long as he continues as such Leader, be entitled to receive a salary per mensem and allowance for each day at the same rates as are specified in section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 with respect of members of Parliament.

30 of 1954.

Salary, and
daily, consti-
tuency
and sump-
tuary
allow-
ances.

(2) Each Leader of the Opposition shall also be entitled to receive a constituency allowance at the same rate as is for the time being specified under section 8 of the said Act with respect of members of Parliament.

(3) There shall be paid to each Leader of Opposition a sumptuary allowance of one thousand rupees per mensem.”.

Amendment of section 3.

3. Section 5 of the principal Act shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

“(2) A Leader of the Opposition and any one member of his family accompanying him shall be entitled to travelling allowances in respect of not more than six return journeys performed during each year, within India at the same rates at which travelling allowances are payable to such Leader under clause (b) of sub-section (1) in respect of tours referred to in that clause.

Explanation.—For the purposes of this sub-section, “return journey” means a journey from one place to another place and the return journey from such other place to the first mentioned place.’.

Insertion of new section 9A.

4. In the principal Act, after section 9, the following section shall be inserted, namely:—

Exemption from liability to pay income-tax on certain perquisites received by a Leader of the Opposition.

“9A. Notwithstanding anything contained in the Income-tax Act, 1961, the value of rent free furnished residence (including maintenance thereof) provided to a Leader of the Opposition under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the heading “Salaries” under section 15 of the Income-tax Act, 1961.”.

43 of 1961.

STATEMENT OF OBJECTS AND REASONS

This Bill is complementary to the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1985 and the Salaries and Allowances of Ministers (Amendment) Bill, 1985.

2. The Bill seeks—

(a) to provide that a Leader of the Opposition shall be entitled to a salary, daily allowance and constituency allowance at the same rates as a member of Parliament;

(b) to provide for the payment of a sumptuary allowance to each Leader of the Opposition and to exempt from income-tax the value of the official residence provided to such Leader; and

(c) to extend the facility of free travel in respect of six return journeys per year within India to one member of the family of a Leader of the Opposition accompanying him on such journeys.

3. The Bill seeks to achieve the above objects.

NEW DELHI;

H. K. L. BHAGAT.

The 19th December, 1985.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to substitute section 3 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977, to provide for salary, daily allowance and constituency allowance at the same rates as admissible to members of Parliament. It also seeks to provide to a Leader of Opposition, a sumptuary allowance of Rs. 1,000 per mensem.

2. Clause 3 of the Bill seeks to insert a new sub-section in section 5 of the Act to provide for a facility to Leaders of Opposition by way of six return journeys in a year within India to a member of his family.

3. The above provisions would involve expenditure from the Consolidated Fund of India to the tune of Rs. 1.14 lakhs.

4. The provisions of the Bill will not involve any other expenditure either recurring or non-recurring.

SUBHASH C. KASHYAP,
Secretary-General.